

MINUTES
BOARD OF COMMISSIONERS MEETING
General Session
February 20, 2009
Boise, Idaho

President Dwight Baker called the General Session of the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:30 a.m. at the Law Center in Boise, Idaho. In addition to President Baker, in attendance for the meeting were Commissioners Newal Squyres, Doug Mushlitz, James Meservy, and Deborah Ferguson, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Deputy Executive Director Terri Muse, and Executive Director Diane Minnich, who acted as the secretary.

CONSENT AGENDA

MINUTES

It was moved, seconded and passed to approve the minutes of the January 16, 2009 meeting as submitted.

GOVERNANCE AND REGULATORY SERVICES

BAR EXAM REVIEW COMMITTEE REPORT

The Commission reviewed the revised bar exam topic list as proposed by the committee. After discussion, it was moved, seconded and passed to approve the proposed topic list as submitted by the committee for submission to the Idaho Supreme Court for its approval.

TRANSFER FROM AFFILIATE TO ACTIVE STATUS

Vicki Yrazabel Looney – The Commission considered a request from Vicki Yrazabel Looney to transfer from affiliate status. After discussion, it was moved, seconded and passed to allow Ms. Looney to transfer to active status under the following conditions: passage of the Multistate Performance Test, 15 additional live MCLE credits on topics not related to ADA or employment, including the Idaho Practical Skills course. The Commission agreed that Ms. Looney's license could be transferred March 1, with 60 days to complete the CLE credits and one year to pass the MPT.

BELLWOOD LECTURE

The Commission discussed the 2009 Bellwood lecture, featuring Chief Justice of the U.S. Roberts, scheduled for March 13 at 4:00 p.m. in Moscow. The Commission asked the Executive Director to contact the Dean about promotion of the event to ensure adequate marketing of the event to bar members.

UNJUST CRITICISM OF JUDGES – The Commission discussed the Idaho Falls Post Register article about disbarred attorney Kimball Mason, whose remarks made while in prison criticized judges. Bar Counsel Andrews agreed to write to the judges regarding the Commissioners' discussion, and let the judges know that the statements will be included in the information that will be considered if he files for reinstatement.

MODEL RULE OF PROFESSIONAL CONDUCT 1.10 – The Commission was provided with information regarding the ABA House of Delegates approval of the amendment to Model Rule 1.10,

allowing for screening. The Commission agreed to ask ABA State Bar Delegate Larry Hunter to write an article about the rule and vote. The Commission also agreed to include amending IRPC 1.10 for 2009 resolution process on a future meeting agenda for discussion.

SUMMIT ON FAIR AND IMPARTIAL COURTS

The Commission discussed the ABA sponsored Summit on Fair and Impartial Courts scheduled for May 7-9 in Charlotte, NC. Chief Justice Eismann plans to attend and Commissioner Meservy expressed an interest in attending if his schedule permits.

IDAHO SUPREME COURT

The Commission was provided with the notes from the January 16 meeting with the Commissioners, UI Law School Dean and the Idaho Supreme Court. The Commission was also provided with the January 20 Supreme Court Oral Conference minutes.

MEMBERSHIP STATISTICS

The Commission was provided with membership statistics as of February 2, 2009.

ADMINISTRATION AND SUPPORT

LICENSE FEE INCREASE

The Commission discussed the potential amount for the proposed license fee increase. The Executive Director provided information on the impact a 20% and 25% increase would have on the fee and the future financial situation. The Commission agreed to further discuss the proposed fee and a schedule for phasing in the fee.

ISB/ILF LEASE AGREEMENT

The Executive Director reported that the Idaho Law Foundation plans to contact the Bar Commission regarding renegotiating the lease agreement between the two organizations.

CONSTRUCTION UPDATE

The Executive Director reported that the project should be completed within the next week.

MEMBER SERVICES

Practice Section Update – Deputy Executive Director reported on current Section activities. She specifically noted that the Water law Section has been relatively inactive for the past few years and the Family Law Section was asked to comment on potential legislation. She also stated that she is still gathering information regarding a proposed revision in the section funding policy; Commissioner Meservy reported on the Bankruptcy Section's response to a request for assistance from IVLP.

The Commission discussed the possibility of meeting with Idaho legislative leaders and the lawyer members of the legislature.

CLE update – The Deputy Executive Director provided the Commission with information on 2008 CLE programs and attendance for both the Sections of the Bar and the Idaho Law Foundation.

LRS statistics –The Commission was provided with the January 2009 LRS statistics.

EXECUTIVE SESSION

After an aye vote was recorded from each Commissioner, the Commission moved into executive session at 10:45 a.m. The executive session concluded at 11:40 a.m.

There being no further business, the General Session adjourned at 10:45 a.m.

Respectfully submitted,

Diane K. Minnich
Executive Director